

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BITTNER FAMILY LP and JOHN
BITTNER,

Plaintiffs,

v.

TRANSCONTINENTAL GAS PIPE LINE
COMPANY, LLC,

Defendant.

No. 4:20-CV-01259

(Judge Brann)

ORDER

AND NOW, this 8th day of April 2021, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant's motion to dismiss (Doc. 14) is **GRANTED IN PART AND DENIED IN PART**, as follows:
 - a. The motion is denied as to Count 1 and granted as to Counts 2-5.
 - b. Leave to amend is granted as to Counts 3 and 5 and denied as to Counts 2 and 4.
2. Plaintiff may file a second amended complaint by April 22, 2021. If no second amended complaint is filed by that date, the action will proceed on Count 1. If no second amended complaint is filed, Defendant's answer will be due no later than May 13, 2021.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge